

Early Years Inspectorate Regulatory Report

Pre School

TUSLA Identifier:	TU2015DR158		
Name of Service:	Little Apples Academy		
Address of Service:	2 Carbury Place, Main Street, Blackrock, Co. Dublin		
Eircode:	A94 W889		
Name of Registered Provider:	Gemma Holohan		
Service type:	Full Day, Part Time, Sessional		
Date of Inspection:	12/06/2024		
No of pre-school children:	AM	49	PM 24
Address of the Early Years Inspectorate:	1st floor Trinity Building, IDA Business Park, Southern Cross Road, Bray, Co. Wicklow		
Inspection undertaken by:	Sarah Quigley & Fiona Carty		
Title:	Early Years Inspector(s)		
Authority to Inspect			
The Tusla Early Years Inspectorate carries out inspections of Early Years Services under Section 58(J) of the Child Care Act 1991 (as inserted by Section 92 of the Child and Family Agency Act 2013).			
Conditions if applicable	Not applicable		

Description of service

Little Apples Academy is located in an urban area of Blackrock, South Co. Dublin. The service currently provides full day, part-time, and sessional care and education to children aged between two and six years. Little Apples is open from Monday to Friday between 08:00 and 18:15 hours and operates from a three-storey period Georgian building which has been purposely adapted for use as an early years' service. The service consists of four preschool care rooms, two of which provide care to school aged children in the afternoons. An enclosed outdoor play area is available to the rear of the premises.

Staffing

The service currently employs 11 staff members, including the two service owners, one of which is the registered provider. On the day of inspection, 9 adults were present including the registered provider and an adult from an external company who was providing an activity class to the children in attendance.

Methodology

Tusla's Early Years Inspectorate is the independent statutory regulator of early years services in Ireland. The Child Care Act 1991 (Early Years Services) Regulations 2016 define the duty of a registered provider to ensure the safety and well-being of children and to comply with these regulations. This Act also gives Tusla the authority to assess compliance with the regulations. The purpose of regulation in relation to early years services is to ensure that the care, safety, and well-being of children attending such services is upheld. Inspections of early years services are planned based on the following:

- Previous inspection history
- Any information received in relation to the service

The findings on inspection are based on:

- Information obtained through examination of documentation
- Direct observation
- Discussion with relevant staff

This inspection was *unannounced* and focused on the area of *governance/information and records/ health, welfare and development of child/ safety/ premises and facilities*. The inspection may also focus on other areas as required.

Inspection findings are documented in the inspection report which is first issued in draft format to the service with an opportunity to respond to any findings. Where statutory requirements are identified as not being met, the registered provider must demonstrate how they have rectified the non-compliance and will prevent any non-compliance from re occurring. The Corrective Action and Preventive Action plan (CAPA) will be used to inform decisions about compliance with regulatory requirements. Where the registered provider fails to meet the statutory requirements an escalation process may be commenced.

The inspectorate reserves the right to edit responses received for reasons including clarity, completeness and compliance with administrative and legal processes.

The contents of the report are compiled by the inspectorate body.

Additional Information

An immediate action notice was issued to the registered provider on the 13th June 2024 following the inspection in respect of Regulation 9(2)(c), Garda Vetting. A Garda vetting disclosure had not been obtained for one adult who was engaged directly with the children in the service. A response was received from the service on the 13th June 2024 which sufficiently mitigated the risk identified.

Acknowledgments

The inspectors wish to acknowledge the cooperation of the registered provider, person in charge, staff and children who were present on the day of the inspection.

Part III – Management and Staff

Regulation 9 – Management and recruitment

(2) A registered provider shall ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children, including by-

(a) consideration of references from the person’s past employers, if any, and in particular the most recent employer, if any,

(b) consideration of references from reputable sources in the case of a person who has no past employers,

(c) consideration of the vetting disclosure received from the National Vetting Bureau of the Garda Síochána in accordance with the Act of 2012 in respect of the person, and

(d) ensuring, insofar as is practicable, that where a person has lived in a state other than the State for a period of longer than 6 consecutive months, he or she provides police vetting from the police authorities in that state.

(3) The procedures specified in paragraph (2) shall be carried out prior to any person being appointed, assigned or allowed access to or contact with a child attending the pre-school service.

(4) A registered provider shall ensure that, without prejudice to the generality of paragraph (2) and subject to paragraphs (5) and (6), each employee working directly with children attending the service holds at least a major award in Early childhood Care and Education at Level 5 on the National Qualifications Framework or a qualification deemed by the Minister to be equivalent.

Compliance Information

(2) Documentation was reviewed in respect of the 11 adults currently working in the service. Documentation relating to 9(2)(c) for these 11 adults and an additional adult who was present in the service on the day of inspection. The following records were available for the adults:

(a) (b)

The registered provider demonstrated that they had verified the references obtained from 2 sources for 10 of the adults, and from one source for 1 of the adults.

(c) Garda vetting disclosures had been obtained for 11 of the 12 adults who required it. However, the service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. Please refer to the information outlined under regulation 23 of this report.

(d) International police vetting was available for 2 of the 5 adults who required it.

(4) 6 of the adults held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications. Two of the adults who did not have the required qualification were in possession of a letter of eligibility to practice from the Minister of Children, Equality, Disability, Integration and Youth.

Non-Compliance Information

(2)

The registered provider did not ensure that each employee, unpaid worker and contractor is suitable and competent taking into consideration the nature of the needs of children as follows:

(a) (b) There was no appropriate 2nd verified reference available for one of the adults. The 2nd reference on file was from the same source as the 1st reference.

(c) There was no Garda Vetting disclosure available for an adult present on the day of inspection who was engaged directly with the children in the service. An immediate action notice was issued to the registered provider on the 13th June 2024.

(d)

- International police vetting documents available for 2 adults had not been translated by a verified translation service, therefore could not be verified.
- There was no international police vetting available for one adult who required it.

(3)

- A review of documentation evidenced the registered provider had not taken the required steps as outlined in Regulation 9(2)(a)(b)(c)(d) to ensure that new recruits were suitable and competent before allowing them access to children, as detailed above.

- In addition to the non-compliances above, one Garda vetting document available for one staff member had not been retrieved prior to them commencing employment in the service. The staff member confirmed they had commenced employment in the service on the 21/2/24 and Garda vetting had not been obtained until the 1/3/24 by the registered provider.

(4) There was no evidence available to show that 3 of the adults who work directly with the children in the service held a relevant major award in Early Childhood Care and Education on the National Framework of Qualifications.

The corrective and preventive actions submitted by the registered provider following the last inspection of the service on the 21st March 2023 did not prevent the re-occurrence of the non-compliances identified under Regulation 9(3) and Regulation 9(4).

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response:

Corrective and Preventive Action

- (2)
- (a) (b) Second reference for the staff member has been obtained and verified. This is now on file and the double of the first reference has been taken out of the file. The managers and registered provider sat down and went through the staff file checklist and spoke about the importance of having each piece of information on file for all team members.
 - (c) The immediate action notice was taken very seriously and dealt with straight away. To confirm, the staff member now has garda vetting for our setting for when they come back in September. In the team meeting with the managers, the providers spoke about the importance of everyone in the setting, whether they are only here 10 minutes or all day have to have Garda vetting.
 - (d) The International police vetting documents are all on file and have been translated and verified by a translation service. The service has added a section in our personnel file checklist in case a translation is needed
- (3) The service understands the importance of garda vetting. The service policy is to garda vet at interview stage. Unfortunately, the staff members garda vetting was delayed this time and our staff member had left by the time it came through. This being said, the adult was never alone with the children, they were never part of that ratio. The service understands everyone has to have garda vetting to work with children and will ensure this does not happen again.
- (4) The staff members in question are known to the children and work in the service school aged care team. The service is currently recruiting and the centre manager is back to being out of her room due to term being finished. So, the service have a cover staff if needed who is qualified. The service will ensure holiday leave is taken throughout the year and not at an inconvenient time. The service will use a company for relief staff who are all qualified and garda vetted. Normally the service have a cover staff member but that week the service were caught off guard.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

Part III – Management and Staff

Regulation 11 - Staffing levels

(1) Subject to this Regulation, a registered provider shall ensure that there is at all times an adequate number of adults working directly with the children attending the pre-school service.

(2) Subject to paragraphs (4) and (5), a registered provider of a full day care service or a part-time day care service shall ensure that at all times the minimum ratio of adults to children specified in column (3) of Part 1 of Schedule 6 opposite a particular reference number specified in column (1) of that Part in respect of the age range of the children specified in column (2) thereof at that reference number is satisfied.

Non-Compliance Information

(1)

An adequate number of adults were not working directly with the pre-school children attending the service during the inspection as the minimum ratio of adults to children was not maintained at all times in the Montessori term time room and the Montessori full time room at times as outlined below.

(2)

The registered provider did not ensure that the minimum ratio of adults to children was maintained in the service at all times throughout the inspection. An insufficient number of adults were available to the children attending on a full day and part time care basis in two care rooms at times as outlined below:

Room name	Number of staff	Time	Number & age of children Present	Ratio of adult to child required
Montessori term time room	1	12:00 to 12:50pm	11 (3+ years)	3 – 6 years = 1:8
Montessori full time room	2	12:30 – 12:40pm	20 (2 x 2years) (18 x 3+ years)	2 – 3 years = 1:6 3 – 6 years = 1:8

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response:

Corrective and Preventive Action

The service understand they were out of ratio from 12 – 12.50pm and 12.30 to 12.40pm on the day of inspection. This is not the norm however the service was tight on staff that day. The service understand this is not acceptable

and in the future will ensure to use an external staffing agency if they find themselves short on staff. The service is currently recruiting and the manager is back to covering when needed as their term time class is finished.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

Part IV – Information and Records

Regulation 15 – Record of pre-school child

(1) A registered provider of a pre-school service other than a pre-school service in a drop-in centre or a temporary pre-school service shall ensure that a record in writing is kept in respect of each pre-school child attending the service containing the following particulars:

- (a) the name and date of birth of the child;*
- (b) the date on which the child first attended the service;*
- (c) the date on which the child ceased to attend the service;*
- (d) the name and address of a parent or guardian of the child and a telephone number where that parent or guardian or a relative or friend of the child can be contacted during the hours of operation of the service;*
- (e) authorisation for the collection of the child;*
- (f) details of any illness, disability, allergy or special need of the child, together with all the information relevant to the provision of special care or attention;*
- (g) the name and telephone number of the child's registered medical practitioner;*
- (h) record of immunisations, if any, received by the child;*
- (i) written parental consent for appropriate medical treatment of the child in the event of an emergency.*

Compliance Information

A sample of 12 records of preschool children maintained in the service were reviewed by the inspectors to assess compliance. The documentation reviewed evidenced that each of the records detailed all of the required information outlined under Regulation 15(1) (a) to (f) detailed above.

Non-Compliance Information

3 of the records reviewed did not contain the required information outlined under Regulation 15(1) (h). One of the reviewed did not contain the information required under point (i).

Corrective & Preventive Action submitted by the Registered Provider

The registered provider submitted the following response:

Corrective and Preventive Action

The service have spoken about this in the managers meeting and have a new policy to give the form back to the parents the week before the child starts to fully complete the form/information missing.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The regulatory requirement has been met.

Part V - Care of Child in Pre-school Service

Regulation 19 - Health, welfare and development of child

(1) A registered provider shall, in providing a pre-school service, ensure that-

(b) appropriate and suitable care practices are in place in the pre-school service, having regard to the number of children attending the service and the nature of their needs.

Compliance Information

The inspectors observed appropriate care practices in place in the service during the inspection.

Staff stated that morning and afternoon snacks are provided daily by the parents or guardians of the children in attendance. A hot meal is served daily to children attending part-time and full day care hours which is provided by an external catering company and re-constituted on site. Drinks were accessible to the children in the care rooms at all times. Children were encouraged to assist in the preparation for lunch time, handing out cutlery, lunch boxes, and drinks to their peers. Staff members sat with the children engaged in conversation during mealtimes. Older children all accessed the toilet independently during the inspection and staff supported younger children where required. Children requiring nappy changes were changed regularly and when required. Staff demonstrated

kindness and warmth during interactions observed by the inspector and were engaged with the children throughout the inspection. Comfort was offered to children promptly when required. The children appeared happy and content at their play and Montessori based activities throughout the inspection and were provided with freedom of choice in the materials they wished to use.

Staff supported the children to wash their hands and clean their noses at appropriate times during the inspection. Children were encouraged to take turns assisting with tasks in the care rooms to promote independence. Rest areas were available so the children could take time away from the group or rest if required. Staff were observed supporting the children, offering reassurance and praise during play and Montessori activities and used prompts to extend and enhance play and learning.

The children all accessed the outdoor area during the inspection and were dressed appropriate to the weather with light coats.

Part VI - Safety

Regulation 23 - Safeguarding health, safety and welfare of child

A registered provider shall ensure that all reasonable measures are taken to safeguard the health, safety and welfare of a pre-school child attending the service and that the environment of the service is safe.

Compliance Information

General Safety:

The service was adequately secured with a bell entry system at the door to ensure the safety of the children within and to avoid unauthorised persons accessing the service or children exiting unsupervised. Children's attendance was recorded daily through an online application and written records of attendance were also maintained within the care rooms. All cleaning products and hazardous materials were stored safely out of reach of children. The toys and play equipment observed in use by the children on the day of inspection were safe and in good working order.

Infection Control:

Waste was managed appropriately with the use of pedal-operated, lidded bins throughout the service. Schedules were in place and maintained to ensure the service, equipment and materials are regularly cleaned. Staff stated appropriate exclusion periods for adults and children with infectious illnesses were implemented in the service as per the policy.

Administration of Medication:

A medication policy was in place in the service. Care plans were in place for children attending the service who required emergency medication.

Safe Sleep:

Staff were familiar with safe sleep guidance and detailed the procedures in place for children in attendance who require sleep. Sleep logs were maintained in the service and individual children's observations recorded room temperature, breathing, colour, and position every ten minutes.

Fire Safety:

The designated fire escape routes were clearly indicated and free from obstruction on the day of inspection. Staff members adequately outlined the evacuation procedures in place in the event of a fire and stated that fire drills are practiced regularly on a monthly basis.

Non-Compliance Information

General Safety:

1. The service did not adhere to the re-vetting timeframes as outlined in the Early Years Inspectorate Regulatory Notice, requiring services to renew Garda vetting every three years. One staff member working in the service did not have a Garda Vetting disclosure which was dated within the last 3 years.
2. The kitchen door was open and accessible to children from the Pre-Montessori room who were accessing the bathroom alone during the inspection. A number of hazards were identified in the kitchen including a kettle, and a long cord off a vacuum cleaner which was hanging on the wall.

Infection Control:

Some practices observed were ineffective for infection control purposes, and posed the risk of cross contamination as outlined below;

3. The nappy changing practices observed during the inspection were inconsistent and at variance with the nappy changing policy in place as follows;
 - One staff member was observed changing 3 children's nappies with no handwashing in between.
 - During nappy changing, staff members were observed to re-dress children wearing the soiled gloves used during the nappy changes.
This poses a risk of cross contamination and spread of infection.
 - Two children's nappies who were wet when changed were not cleaned by the staff member prior to a new nappy being applied.
4. The handwashing practices observed during the inspection were inconsistent and at variance with the handwashing policy in place as follows;

- Some children's hands were not washed after toileting. Staff members present in the toilet area did not prompt the children to handwash when finished.
 - Some children did not wash hands prior to eating dinner.
This poses a risk of cross contamination and spread of infection.
5. A child in the Pre-Montessori room was observed drinking out of 3 other children's beakers during the inspection. Staff members who took the beakers away made no attempt to clean them prior to handing them to other children to drink from posing a risk of cross contamination.
 6. Perishable items contained in children's lunches which were taken in from home were not re-refrigerated prior to consumption which may pose a risk of gastrointestinal illness.
 7. The nappy changing mat in use on the day of inspection was torn and internal foam was exposed meaning it could not be effectively cleaned to prevent cross contamination.
 8. The wooden ledge under the handwash sink in the Pre-Montessori room had no lacquered surfacing. The unfinished wood was damp and malleable and could not be effectively cleaned.

Administration of Medication:

9. A sample of medication records were reviewed in the service. The records reviewed evidenced that procedures being followed were at variance with the policy and associated procedures in place in the service as follows:
 - There was no documentation available on one of the records to indicate that consent had been given by children's parents/guardians to administer the prescribed medication.
 - A number of records reviewed did not contain evidence that medications had been administered with a second staff member present to ensure the correct procedures and dose was administered.

The corrective and preventive actions submitted by the registered provider following the last inspection of the service on the 21st March 2023 did not prevent the re-occurrence of the non-compliances identified under points 6, 8, and 9 above.

Action submitted by the Registered Provider

The registered provider submitted the following response:

Corrective & Preventive Action

General Safety:

1. Garda vetting has been renewed for the three staff. At the team meeting it was discussed that garda vetting needs to be renewed every three years.
2. The kitchen door was closed by the registered provider during the inspection as they noticed this that morning. It is normal practice to have the door closed at all times. A notice was put on the door to keep the door closed at all times.

Infection Control:

3. All the team have since completed a nappy changing course online and the procedure was discussed in the team meeting.
4. This was spoken about during the team meeting and all the team signed the hand washing policy. The service bought hand washing packs with displays for all the rooms and this was spoken about with the children.
5. The service had a chat with all the children about drinking out of their own cups and not using other children's.
6. All the children's snacks in the morning get put into fridge containers and popped into the fridge.
7. The nappy mat has been replaced and the service have a spare one in storage.
8. The wooden ledge has been removed from the sink and the whole area has been replaced with tile.

The service have included all of the above in the team meeting and all the team have signed that they understand the importance of proper nappy changing, hand washing for the team and the children, health and safety/cross contamination of water cups.

Administration of Medication:

9. The service has consent for that child now to give medical treatment if needed. The providers have spoken with the team to the importance of witnessing medicine if given to the children. The service held a team meeting and spoke about the importance of following up on documentation, medical or otherwise. How it is very important to have a witness when administering medicine to a child.

Supporting documentation submitted

Supporting documentation was submitted and reviewed by the early years inspector.

Summary Comment

The corrective and preventive actions submitted by the registered provider as stated will address the non-compliances identified. The regulatory requirement has been met. The actions outlined will be assessed on the next inspection of the service.

Part VI - Safety

Regulation 25 - First aid

(1) A registered provider shall ensure that a person trained in first aid for children is, at all times, immediately available to the children attending the pre-school service.

(2) A registered provider shall ensure that a suitably equipped first aid box for children-

(a) is safely stored in an easily accessible and conspicuous position on the premises, and

(b) is available to the children attending the pre-school service at all times.

Compliance Information

(1)

An adult trained in First Aid Responder (FAR) training was available in the service at all times during the opening hours of the service on the day of inspection.

(2)

(a)(b)

A suitably equipped first aid box was observed to be immediately accessible to the children within the service and was stored in a conspicuous location on the day of inspection.